

Extract from Interrogation of Hideki Tojo
19 February 1946, Case File #20, Serial #73, pp. 1-2, 4-5, 6-7, 8, 11.

(pp 1-2)

- "Q You stated at the last interrogation that Japan felt that, by her final note breaking off diplomatic relations, she acquired freedom of action from the standpoint of international treaties. Did she acquire the same freedom from the standpoint of international law?
- "A I think so.
- "Q Prior to making the attacks on the United States and Great Britain, this whole matter of the responsibility under treaties and under international law had been considered by you and the cabinet?
- "A Of course they were. It is important to remember that this matter was the grave responsibility of the Foreign Ministry.
- "Q What did the Foreign Ministry report to the cabinet on the matters of treaties and international law prior to the cabinet making its decision?
- "A The Foreign Minister reported only the gist of it to the cabinet. What was done afterwards was the sole responsibility of the Foreign Minister.
- "Q And the gist of what was reported by the Foreign Minister to the cabinet was that there was nothing in the treaties or international law that prevented the attacks on the United States and Great Britain after the last note had been delivered?
- "A The whole cabinet attended the Imperial Conference on the 1st or 2nd which made the decision for war. Hence, the whole cabinet knew, generally speaking, that that decision had been made, since everyone attended, but the problem of how the final note was to be dispatched was a technical question which was handled by the Foreign Minister.
- "Q Who informed you and the cabinet that there was nothing in any treaty or in international law that would preclude the attack being made on the United States and Great Britain?
- "A It was the result of my research. We had been challenged and were acting in self-defense. Therefore, I thought that we were not impeded from the standpoint of international law or treaties.

"Q Did the cabinet agree with you?

"A Yes. They all agreed.

"Q Did the Foreign Ministry agree?

"A Yes. They also studied the question and agreed.

"Q We will read all that back to you to make sure there is no mistake as to the questions and your answers.

"A /This was done and the witness agreed as to its correctness./

"Q When did you begin to study these matters?

"A From the time that the problem arose."

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(pp 4-5)

"Q At this last Liaison Conference preceding the Imperial conference of December 1st or 2nd, you expressed the same views on international laws and treaties which you arrived at as a result of your studies?

"A Yes.

"Q So that when the Liaison Conference arrived at a final decision to attack America and Great Britain, they had accepted your views on these matters?

"A Yes, of course they had.

"Q Who, in addition to yourself, spoke at that conference, expressing similar views in regard to international laws and treaties?

"A The Foreign Minister spoke on this point since he was the one chiefly responsible, and my researches resulted in my agreement with his views. There was no question raised by any other member present since the responsible officials had made that decision.

"Q Prior to the attacks on Great Britain and the United States, why was not a declaration of war made to either?

"A We thought that when the final note, implying a rupture in diplomatic relations, was delivered, that treaty procedure was finished and that we acquired freedom of action. Especially on the assumption of acting in self-defense in response to the challenge from the Anglo-American side, we thought that it was particularly appropriate."

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(pp 6-7)

"Q How long before the actual attack was the note to be delivered?

"A There were various opinions advanced and argued about between the Chiefs of Staff and the Foreign Minister. There was one idea that the delivery of the note should precede the attack by an hour and a half; another, that it should precede it by an hour, another, by thirty minutes, and so forth. I do not clearly remember what was the final decision.

"Q But all views were to the effect that the hour set for the time of the delivery of the note was to be one that would not interfere with the success of the surprise attack on Pearl Harbor?

"A It should not interfere with the success of the surprise attack, but also, from the Foreign Minister's point of view, the note had to be delivered before the attack.

"Q But the primary matter was to have the attack a successful one, was it not?

"A Since it was a matter of war, the success of the surprise attack was very important, but also the diplomatic procedures were of great importance. It was not a question of which was most important - they were both extremely important. Especially since the Emperor had cautioned us in regard to it, the latter point was important.

"Q If the diplomatic procedure was so important and the Emperor had specifically cautioned you about it, why was it not arranged so that more notice would be given to the United States?

"A From the standpoint of strategy, since it was war, the necessity for victory had to be considered also, and the possibility of victory was intimately related to the question of time. I was extremely anxious as to the success of this surprise attack. That also was a grave matter.

"Q We will read the answers back to you so there will be no misunderstandings.

"A /This was done and the witness agreed that they were correct/."

* * *

(p. 8)

"Q Do you not agree that the attack made under such circumstances was nothing but murder and not warfare?

"A No, I don't agree. I think it was legal defense in the face of challenge.

"Q Do you, as a Japanese, feel proud of the fact that several thousand Americans were killed at Pearl Harbor in this manner?

"A No, I am not proud of it.

"/Session adjourned at 12:25 for luncheon/

* * * * *

"/Session resumed at 1345 hours/

"A I should like to make a supplementary explanation of my answer to the last question as to whether I was proud that several thousands of Americans were casualties as a result of the attack on Pearl Harbor.

"I sympathize with those who died, but Japan had been challenged and so she took justifiable self-defense. The English and American Governments had menaced Japan militarily and economically and they should have had a suitable attitude of readiness. Furthermore, the attack was against military objectives."

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(p. 11)

*Q you and the cabinet intended four surprise attacks to be executed at the same time against possessions of the United States and Great Britain?

*A The cabinet did not know. I knew, in my capacity as War Minister.

*Q The cabinet did know that America and Great Britain were going to be attacked without warning?

*A No. At that time they and I thought that Ambassador NOMURA would have delivered the note before the attack.

*Q How much notice did you and the cabinet believe that either the United States or Great Britain was going to get in this connection?

*A As I explained before, there were various theories as to the amount of time - an hour and a half, one hour, thirty minutes. I thought that there would be at least thirty minutes."

東條英樹ニ對スル訊問ヨリノ抜萃

一九四六年二月十九日

一、二、四、五、六、七、八頁「~~第十一、二章~~」

「問」貴方ハ此ノ前ノ訊問ノ時、日本ハ外交ヲ斷絶スルソノ最後通牒ニヨリ、國際條約ノ見地カラ行動ノ自由ヲ獲得シタト感ジタ旨ヲ述ベマシタ。ガ日本ハ國際法上ノ見地カラモ同様ノ自由ヲ獲得シマシタカ。

「答」私ハサウ思ヒマス。

「問」合衆國ト英國ニ對シ攻撃ヲ開始スルニ先立チ此ノ國際條約ト國際法下ノ責任トイフ事ニツイテノ全問題ガ貴方ト内閣ニヨツテ考慮サレマシタカ。

「答」勿論サレマシタ。此ノ問題ハ外務省ノ重大責任^デアツタ事ヲ銘記シテ置ク事ガ大切デアリマス。

「問」外務省ハ閣議決定ニ先立チ、條約ト國際法ノ事柄ニツイテ何ント内閣ニ報告シマシタカ。

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2504A-2

「答」 外務大臣ハ唯單ニ英ノ長旨ヲ内閣ニ報告シ
タ。其ノ後ニナサレタ事ハ外務大臣ノ單獨
責任デアリマシタ。

「問」 ソシテ、外務大臣ノ内閣ヘノ報告ノ要旨ハ
最近通牒手交後ハ合衆國ト英國ニ對スル攻
撃ヲ妨ゲベキ何物モ國際條約ヲハ國際法上
ナイトイフ事デアリマシタカ。

「答」 全議員ハ昨晨ノ決定ラシク一日又ハ二日ノ
御開會談ニ出席シマシタ。ソレ皆全議員ノ
一致的ニ言ツテ閣員ノ決定ガナサレタ事ハ
知ツテ居マシタ。何故ナレバ全員出席シタ
カフデス。

シカシ最近通牒ガ如何ニ發送サルベキデア
ルカトイフ問題ハ外務大臣ニヨツテ取リ扱
ハレタ技術的問題はデアリマシタ。

「問」 誰ガ貴方ト内閣ニ、如何ナル條約中ニ於イ
テモ國際法上ニ於イテモ合衆國ト英國ニ對
シ攻撃ヲナスヲ妨ゲル何物モナイト告ゲマ
シタカ。

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「答」ソレハ私ノ研究ノ結果デアリマシタ。
挑戦セラレ、自衛ノタメ行動シテ居ツタ譯
デス。ソレ故國際法又ハ條約ノ見地カラ差
支ヘナイモノデアルト私ハ考ヘタノデス。

「問」關員ハ貴方ノ意見ニ同意シマシタカ。

「答」サウデス、彼等ハ凡テ同意シマシタ。

「問」外務省モ同意シマシタカ

「答」サウデス。外務省ノ者モ亦ソノ問題ヲ研究
シテ、同意シマシタ。

「問」我々ハ問題ト貴方ノ答ニ誤謬ノナイ事ヲ確
カメルタメ以上ノ事スベテヲ貴方ニ讀ミ返
シマス。

「答」「此ノ讀ミ返シガナサレ、證人ハソノ正シ
イ事ニ同意ヲ表シマシタ」

「問」何時頃カラ貴方ハ此等ノ事ヲ研究シ始メマ
シタカ。

「答」ソノ問題が起ツタ時カラデス。

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2504A-4

「第四、五頁」

「問」十二月一日又ハ二日ノ御前會議ニ先立ツ此
ノ最後ノ連絡會議ニ於イテ貴方ハ貴方ノ研
究ノ結果到達シタル國際法ト國際條約ニ關ス
ルソノ見解ヲ披瀝シマシタカ。

「答」サウデス。

「問」ソレ故、該連絡會議ガアメリカト英國攻撃
ノ最後決定ニ到達シタトキニハ既ニ彼等ハ
此等ノ問題ニツイテノ貴方ノ見解ヲ承認シ
テ居タノデスネ、

「答」サウデス。勿論彼等ハ承認シテ居リマシタ

「問」貴方以外ニソノ會議ニ於イテ誰レガ發言シ
國際法ト條約ニ關シ同様ナ見解ヲ表明シマ
シタカ

「問」外務大臣ハ主ナル責任者デシタノデ、此ノ
點ニツイテ發言シマシタ。ソシテ私ノ研究
ハ彼ノ見解ト一致シマシタ。責任官廳ガサ
ウイフ決定ヲシタ故ニ他ノ出席員中誰レ一
人トシテ盾疑ヲ提起シタモノデハアリマセン
デシタ。

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「問」 英國ト合衆國ニ對スル攻撃ニ先立ツテ、ド
チラニモ何故開戦宣言ガナサレナカツタノ
デスカ、

「答」 我々ハ、外交關係ノ斷絶ノ意味ヲ含ンデイ
ル最後通牒ガ手交セラレタ時ソノ條約上ノ
手續ハ終ツテキルノデアツテ我々ハ行動ノ
自由ヲ獲得シタト考ヘマシタ殊ニ英米側カ
ラノ挑戦ニ對應シテ自衛行動ニ出テ居ルノ
デアルトノ假定ニタツテキルノデ我々ハソ
レハ特ニ妥當デアルト考ヘマシタ。

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「第六一七頁」

「問」 實際ノ攻皇ノドノ位前ニ最後通牒ガ手交セラレル筈デシタカ

「答」 色々意見が出テ兩總長ト外務大臣トノ間デ協議サレマシタ。

最後通牒ノ手交ハ攻皇ニ先立ツ事一時間半ニナサルベキデアルトノ意見モアリ、一時間前ニナサルベシトカ三十分前トカ其他色々ノ意見ガアリマシタ最後的決定ガ何ンデアツタカ私ハ明確ニ記憶シテ居リマセン。

「問」 シカシ、ドノ意見モ最後通牒手交ノ時ニキメラレタ時刻ハ真珠灣ニ對スル奇襲ノ成功ノ妨ゲトナラナイ時刻デアルベキダトイフ趣意ノモノデアリマシタカ。

「答」 ソレハ奇襲ノ成功ヲ妨ゲルベキデアリマセンデシタガ、シカシ又外務大臣ノ見地カラ最後通牒ハ攻皇前ニ手交サレネバナリマセンデシタ。

「問」 シカシ主クル問題ハ攻皇ノ成功トイフ事デアリマセンデシタカ。

2504A-7

「登」 ソレハ戦争ノコト故ニ奇襲ノ成功トイフ事
ハ非常ニ大切ナ事デアリマシタ、シカシ又
外交上ノ手續トイフ事モ非常ニ重要ナ事デ
アリマシタソレハドチラガ重要デアツタカ
トイフ問題デハアリマセンデシタ——
双方共極度ニ重要デアリマシタ。
殊ニ陛下ヨリソノ點ニツイテ吾々ニ御注意
ヲ賜ヘツタノデ後ノ點ハ重要デアリマシタ

「問」 若シモ外交上ノ手續ガソナニ重要デアリ
且ツ天皇ガソノ點ニ付テ貴方ニ特ニ注意ヲ
與ヘラレタノデアルナラバ、何故合衆國ニ
對シテ、モット前ニ知ラセル様ナ手配ヲシ
ナカツタノデスカ

「登」 戦争ノコト故、作戰上ノ見地カラ、勝利ノ
必要モ亦考慮サレネバナリマセンデシタ。
ソシテ勝利ノ可能性ハ時ノ問題ト密接ニ關
係シテ居リマシタ。私ニハ此ノ奇襲ノ成否
ガ非常ニ氣懸リニナツテ居マシタ。ソレモ
亦重大ナ事デアリマシタ。

「問」 誤解ガナイ様ニスルタメ右ノ答辯ヲ貴方ニ
讀ミ返ヘシマス

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「答」「コノ讀ミ返シガナサレマシタ。ソシテ證
人ハソノ正確ナル事ニ同意ヲ表シマシタ。」

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2504A-9

「第八頁」

「問」 ソノ様ナ狀況ノ下ニナサレタ攻撃ハ戦争デ
ハナク殺人ニ外ナラスト貴方思ヒマセンカ

「答」 イーエ、私ハサウ思ヒマセン、ソレハ挑戦
ニ直面シテノ正當ナ防衛デアツタト思ヒマ
ス

「問」 貴方ハ日本人トシテ數千ノアメリカ人がコ
ノ様ニシテ眞珠灣ニ於テ殺サレタトイフ事
實ヲ誇リニ感ジマスカ

「答」 イ、エ、私ハソノ事ヲ誇リト思ヒマセン。

「訊問ノタメノ會見ハ十二時二十五分晝食
ノタメ休憩」

「訊問ノタメノ會見ハ十三時四十五分再開
セラル」

「答」 私ハ數千ノアメリカ人が眞珠灣攻撃ノ結果
トシテ死傷スルニ至ツタ事ヲ誇リニ思ツタ
カ否カトイフ最後ノ盾問ニ對スル私ノ答辯
ニツイテ補足説明シタイト思ヒマス

7504A-10

「私ハソノタメ死ンダ人々ニ對シテ同情致
シマス、シカシ日本ハ挑戰セラレタノデア
ツテ、ソノタメ正當防衛ニ出タノデアリマ
ス。

英國ト米國政府ハ日本ヲ軍事的ニ經濟的ニ
脅威シタノデアリマシタ。從ツテ彼等ハ相
當ノ覺悟ヲシテ居ル可キデアリマシタ。
ソノ上攻撃ハ軍事目標ニ對シテ行ハレタノ
デアリマス」

× × × × ×

2504A-11

「十一頁」

「問」 貴方ト内閣ハ合衆國ト英國ノ領地ニ對シ同時ニ四ツノ奇襲ヲ實行サセルツモリデシタカ。

「答」 内閣ハ知リマセンデシタ、私ハ陸軍大臣ノ資格ニ於テ知ツテ居リマシタ

「問」 内閣ハ米國ト英國ガ無警告デ攻撃サレル事ニナルノヲ知ツテ居マシタカ

「答」 イイエ、ソノ當時彼等ト私ハ野村大使ガ攻撃前ニ通牒ヲ手交シタデアツタダラウト思ツテ居マシタ。

「問」 貴方ト内閣ハ合衆國カ英國ノドチラカガコノコトニ付テドノ位前ニ知ラサレルト思ツテ居マシタカ

「答」 私ハ前ニモ説明シタ様ニ時間ノ長サノ點ニツイテハ一時間半、一時間卅分、トイフ様ニ色々ノ説ガアリマシタ。私ハ少クトモ卅分間ハアルモノト思ツテ居リマシタ。